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April 15, 2024

Via CM/ECF

The Honorable Margaret M. Garnett
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, NY 10007

Re: *fuboTV Inc., et al. v. The Walt Disney Company, et al.*, No. 24-cv-1363

Dear Judge Garnett:

Pursuant to Sections II(B)(2) and II(B)(4) of Your Honor's Individual Rules and Practices, Plaintiffs fuboTV Inc. and fuboTV Media Inc. ("Fubo") respectfully request leave to file a single, consolidated, 60-page response to Defendants' motions to dismiss on or before Wednesday, April 24, 2024. Defendants consent to Fubo's request.¹

Good cause exists to permit Fubo to file a 60-page consolidated response. Defendants filed a total of three motions to dismiss. *See* Docs. 113, 115, 122. Many of the arguments in those three motions overlap. Were Fubo to respond to each Defendant's motion to dismiss individually, the three briefs would be 85 pages long in total and would repeat some of the same arguments. *See* Individual Rules & Practices § II(B)(2) (allowing 25 pages to respond to motions to dismiss); Doc. 68 (order authorizing Fubo to file a 35-page response to the Disney Defendants' joint motion to dismiss). Filing a single response of 60 pages will better serve the interest of judicial efficiency than filing multiple, overlapping responses totaling 85 pages in length.

Good cause also exists to allow Fubo to file its consolidated response on or before Wednesday, April 24. Defendants filed their motions to dismiss over the course of two days (April 9-10). If Fubo were to file separate responses to those motions, those responses would be due on April 23 and April 24. No prejudice will result from filing a consolidated brief on April 24.

¹ Counsel for the parties met and conferred regarding Fubo's request on April 15, 2024.

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Fubo respectfully requests that the Court grant this motion and allow Fubo to file a consolidated, 60-page response to Defendants' motions to dismiss on or before April 24, 2024.

Respectfully submitted,

/s/ Thomas G. Schultz

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Cc: All Counsel of Record (via CM/ECF)